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ATTORNEYS FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

**UNITED STATES OF
AMERICA,**

Plaintiff,

vs.

ANDREA MACKOWIAK,

Defendant.

CR 09- 01 -M-DWM

INDICTMENT

WIRE FRAUD (Count I)
Title 18 U.S.C. §§ 1343, 2
(Penalty: 20 years imprisonment,
\$250,000 fine, and three years
supervised release)

AGGRAVATED IDENTITY THEFT
(Count II)
Title 18 U.S.C. §§ 1028A(a)(1), 2
(Penalty: Mandatory two years
imprisonment in addition to
punishment for underlying felony,
\$250,000 fine, and one year
supervised release)

THE GRAND JURY CHARGES:

COUNT I

That from approximately August 2006, through in or about December 2006, at Whitefish, in the State and District of Montana, and elsewhere, the defendant, ANDREA MACKOWIAK, with others, both known and unknown to the Grand Jury, devised a material scheme to defraud Qwest Communications and to obtain telecommunications services utilizing unlawfully obtained personal identification information including Social Security account numbers.

THE SCHEME

It was part of the scheme to defraud Qwest Communications and to obtain telecommunications services that the defendant, ANDREA MACKOWIAK, unlawfully acquired Social Security account numbers belonging to other persons, as well as the names and dates of birth of the lawful account holders, while employed at Peak Orthopedic in Whitefish, Montana.

It was further part of the scheme to defraud Qwest Communications and to obtain telecommunications services that the defendant, ANDREA MACKOWIAK, provided the unlawfully acquired

Social Security account numbers, as well as the names and dates of birth of the lawful account holders, to a person in the State of Washington, via telephone calls between Montana and Washington.

It was further part of the scheme to defraud Qwest Communications and to obtain telecommunications services that Social Security account numbers unlawfully acquired by the defendant, ANDREA MACKOWIAK, as well as the names and dates of birth of the lawful account holders, were utilized by persons, both known and unknown to the Grand Jury, to open fraudulent accounts with Qwest Communications in the State of Washington, and to obtain telecommunications services without paying for such services.

USE OF WIRE COMMUNICATIONS IN FURTHERANCE OF SCHEME


That from approximately August 2006, through in or about September 2006, at Whitefish, in the State and District of Montana, and elsewhere, the defendant, ANDREA MACKOWIAK, for the purpose of executing the above-described scheme to defraud, did knowingly transmit or cause to be transmitted, and did aid and abet in the transmission, by wire communication in interstate or foreign

commerce, writings, signs, signals, pictures, or sounds, including, but not limited to, communication of Social Security account information from Montana to the State of Washington, and from the State of Washington to various places throughout the United States and Canada using fraudulently obtained telecommunications services, all in violation of 18 U.S.C. §§ 1343 and 2.

COUNT II

That from approximately August 2006, through in or about December 2006, at Whitefish, in the State and District of Montana, and elsewhere, the defendant, ANDREA MACKOWIAK, did knowingly use, or aided and abetted another in knowingly using, without lawful authority, the means of identification of another person, that is, Social Security account numbers ***-**-1358; ***-**-7900; ***-**-6008; ***-**-7401; ***-**-1732; ***-**-5100; ***-**-2786; ***-**-7569; ***-**-8137; and ***-**-8534, during and in relation to a felony violation of 18 U.S.C. § 1343, that is, wire fraud, in violation of 18 U.S.C. §§ 1028A(a)(1) and 2.

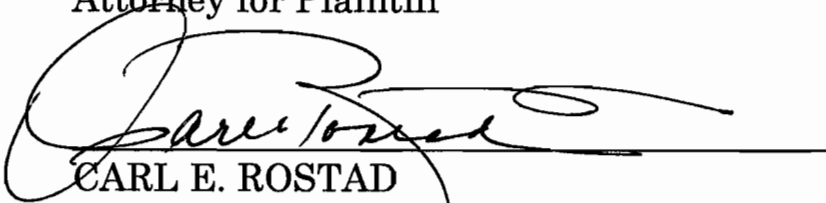
A TRUE BILL.



FOREPERSON



WILLIAM W. MERCER
United States Attorney
Attorney for Plaintiff



CARL E. ROSTAD
Criminal Chief Assistant U.S. Attorney
Attorney for Plaintiff

Crim. Summons _____
Warrant: ✓
Bail: none